

REMARKS

In these remarks, we first address the claims and then the several formal objections listed in the Office letter.

Claims 1 - 10 are cancelled without prejudice. New claims 11 - 20 are now before the Office. Support for the new claims is throughout the specification and in the original filed claims.

Claims 11 - 20 are adapted from the corresponding European Patent that has now been allowed. A copy is enclosed for information of the Office.

Claims 11 - 17 are to the system, and 18 - 20 are method claims. Let us first look at the method claims. These three claims describe a process that is neither shown nor suggested in the two prior art patents which were combined, §103, and applied to the old claims. The primary reference Marsh, Ref. AM, EP 0 585 132 and the secondary reference Atkins, Ref. AL, WO 98/52142 are prior art, with the secondary incorporating the primary and is cited and discussed in applicant's specification at page 2, ¶4, through page 5, ¶4,. Both references were cited and applied during the examination of applicant's corresponding EPO application. The present claims differ from Marsh and Atkins in several respects. The primary reference Marsh seems to describe a system for communication between the

interrogation device and a plurality of transponders. The interrogation device is adapted to detect the beginning of a transmission from one transponder, and then modify its interrogation signal to cause the other transponders to go into a mute or sleep mode. The other transponders interpret the modified interrogation signal as a command to be silent, and said one transponder continues its transmission. However, Marsh does not show, and does not teach, that the interrogation device further modifies its interrogation signal so as to prolong the mute or sleep state of the other transponders. During applicant's prolongation the interrogation device sends a command to said one transponder. If desired, subsequent commands, each with its prolonged time period, may be sent to said one transponder. And for each prolongation, the other transponders each receive a modified interrogation signal. The muted transponders are adapted to repetitively receive and act on one, and successive ones, of the modified interrogation signal to extend the time of their muted or sleepy states, and during which they will not send their identification signals.

In some embodiments one, or several commands can be sequentially sent, executed, and acknowledged, by said one

transponder, while the other transponders are muted. The time for each execution is reset as needed for each one.

All of this is quite different from Marsh in which there is no suggestion of commands; and the communication is cut as soon as the one transponder has been identified.

The secondary reference Atkins seems to propose in order to exchange information between the transponders and the interrogation device to use " . . . coded instructions included in the mute and/or acceptance instructions, . . . " and ". . . if the mute and /or acceptance instructions are in the form of interruption in the reader signal, the coded instructions may be present on the gaps in the reader signal defined by those interruptions. . . . " [page 11, lines 7-11]. This is contrary to and away from the applicant's invention in that applicant's interrogation device extends the time of the muted or sleep states of the other transponders while Atkins ends the muted state by a "disable or wake up instruction" from the interrogation device. In Atkins there is a separate signal sent from the interrogation device to cut the communication with the one active transponder and to wake up or reactivate the muted other transponders. The solution and implementation to the tasks to be done in the combined references and applicant's invention are different and un-suggested by the references.

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Amendment B  
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Turning now to the formalities. The examiner's thoughtful and helpful comments are appreciated and adopted. An abstract is added. The specification is amended to include a few headings. The drawings and the specification are here amended to acknowledge the PRIOR ART of Figures 1 and 2, and to bring the drawings and specification into conformity. All changes are submitted in accordance with new Rule 37 C.F.R. 1.121. If there are any remaining issues, perhaps they can be expeditiously resolved with a telephone call.

A Notice of Allowance is courteously solicited.

Respectfully submitted,

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Certificate under 37 CFR 1.8(a): I hereby certify that this correspondence is being deposited with the United States postal service as first-class mail postage prepaid in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22303-1450 on MAY 28 2004.

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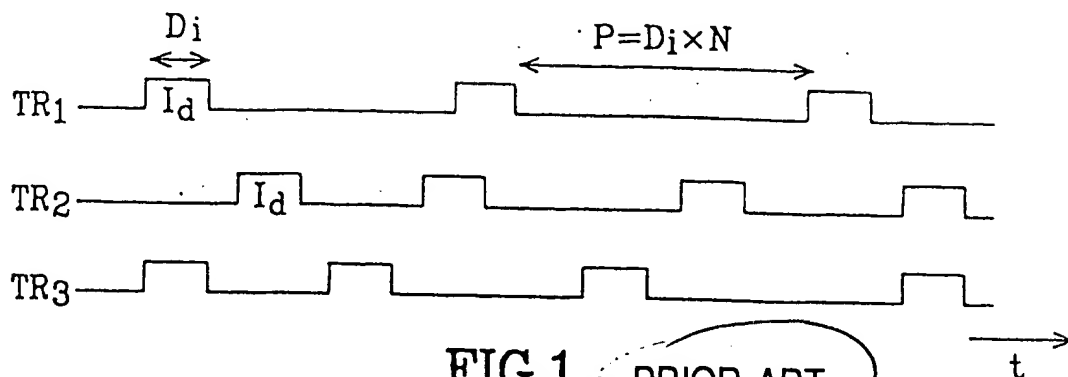


FIG.1 PRIOR ART

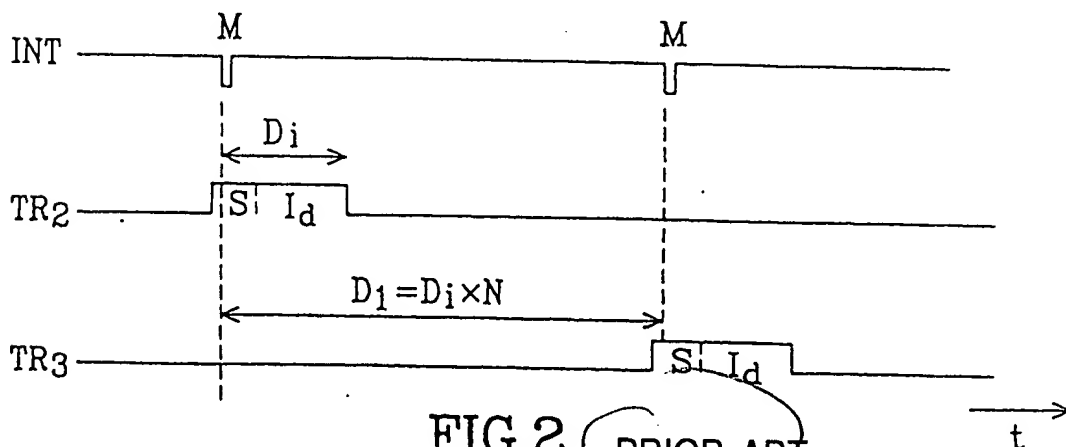


FIG.2 PRIOR ART

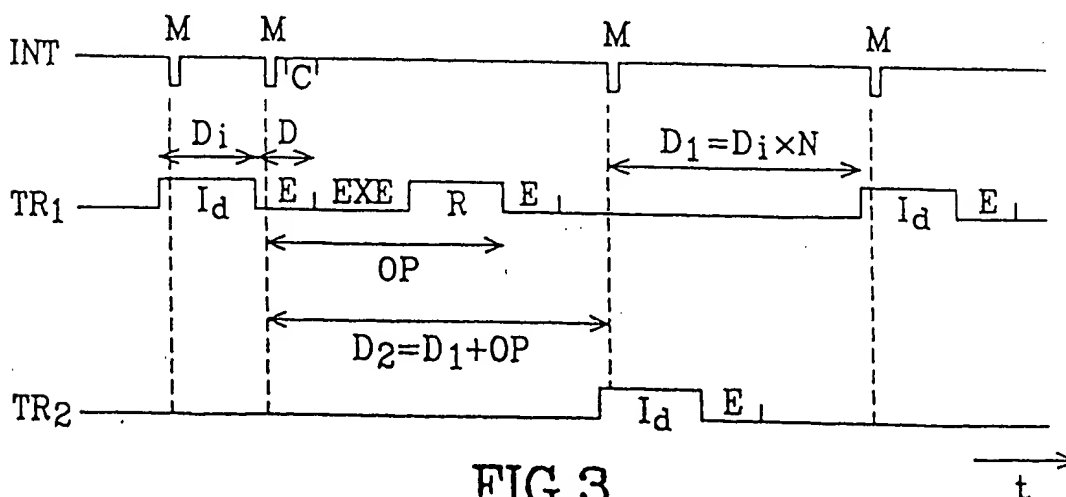


FIG.3